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Counsel for Defendant Google LLC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

CHASOM BROWN, WILLIAM BYATT,
JEREMY DAVIS, CHRISTOPHER
CASTILLO, and MONIQUE TRUJILLO,
individually and on behalf of all similarly
situated,

Plaintiffs,

v.

GOOGLE LLC,
Defendant.

Case No. 4:20-cv-03664-YGR-SVK

**DECLARATION OF JONATHAN TSE IN
SUPPORT OF GOOGLE LLC'S
ADMINISTRATIVE MOTION TO SEAL
THE COURTROOM FOR MAY 3, 2022
DISCOVERY HEARING (DKT NO. 567)**

Referral: Hon. Susan van Keulen, USMJ
Hearing Date: May 3, 2022
Hearing Time: 1:00 P.M.

1 I, Jonathan Tse, declare as follows:

2 1. I am a member of the bar of the State of California and an attorney with Quinn
3 Emanuel Urquhart & Sullivan, LLP, attorneys for Defendant Google LLC (“Google”) in this action.
4 I make this declaration of my own personal, firsthand knowledge, and if called and sworn as a
5 witness, I could and would testify competently thereto.

6 2. I submit this declaration in support of Google’s Administrative Motion to Seal the
7 Courtroom for the May 3, 2022 hearing related to the Special Master’s Report and Recommendation
8 on Referred Discovery Issues (Preservation Plan), issued on April 4, 2022 (Dkt. 524), which was
9 filed under seal. Dkt. 525.

10 3. The parties subsequently filed a Joint Submission Re: Sealing Portions of Special
11 Master’s Report and Recommendations on Referred Discovery Issues (Preservation Plan) in
12 Response to Dkt. Nos. 524, 525 (“Joint Submission”). Dkt. 534. The parties Joint Submission to
13 seal the Special Master’s Report and Recommendations on Referred Discovery Issues (Preservation
14 Plan) was granted on April 14, 2022. Dkt. 540.

15 4. The parties also filed Objections and respective Responses to Objections to the April
16 4, 2022 Special Master’s Report and Recommendation on Referred Discovery Issues (Preservation
17 Plan), which were filed under seal. Dkt. Nos. 543, 544, 545, 546, 555, 558, 559, 560, 561. These
18 documents reference Google’s Confidential or Highly Confidential – Attorneys’ Eyes Only material
19 and contain Google’s confidential and proprietary information regarding highly sensitive features
20 of Google’s internal systems and operations that Google does not share publicly and will be
21 discussed at the May 3, 2022 hearing, including various types of Google’s internal projects, data
22 signals, and logs and their proprietary functionalities, that Google maintains as confidential in the
23 ordinary course of its business and is not generally known to the public or Google’s competitors.

24 5. On April 29, May 1, and May 2, 2022, Google asked Plaintiffs whether they would
25 oppose sealing the courtroom for the May 3, 2022 hearing. Plaintiffs did not respond to any of
26 Google’s three emails.

27 I declare under penalty of perjury of the laws of the United States that the foregoing is true
28 and correct. Executed in San Francisco, California on May 2, 2022.

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DATED: May 2, 2022

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

By /s/ Jonathan Tse
Jonathan Tse

Attorney for Defendant